

EXHIBIT 9

N. KOCH

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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
Civil Action No.
97-cv-3496 (DRD) (MAS)

WALSH SECURITIES, INC., :
:
Plaintiff, :
:
vs. : DEPOSITION OF:
: NANCY KOCH
CRISTO PROPERTY MANAGEMENT,
LTD., a/k/a G.J.L. LIMITED;
OAKWOOD PROPERTIES, INC.;
NATIONAL HOME FUNDING, INC.;
CAPITAL ASSETS PROPERTY
MANAGEMENT & INVESTMENT CO.,
INC.; CAPITAL ASSETS PROPERTY
MANAGEMENT, L.L.C.; WILLIAM
KANE; GARY GRIESER; ROBERT
SKOWRENSKI, II; RICHARD CALANNI;
RICHARD DiBENEDETTO; JAMES R.
BROWN; THOMAS BRODO; ROLAND
PIERSON; STANLEY YACKER, ESQ.;
MICHAEL ALFIERI, ESQ.; RICHARD
PEPSNY, ESQ.; ANTHONY M.
CICALESE, ESQ.; LAWRENCE CUZZI;
ANTHONY D'APOLITO; DAP CONSULTING,
INC.; COMMONWEALTH LAND TITLE
INSURANCE CO.; NATIONS TITLE
INSURANCE OF NEW YORK, INC.;
FIDELITY NATIONAL TITLE
INSURANCE CO. OF NEW YORK;
Coastal Title Agency; DONNA
PEPSNY; WEICHERT REALTORS; and
VECCHIO REALTY, INC., D/B/A
MURPHY REALTY BETTER HOMES
And GARDENS :
:
Defendants. :
:
- - - - -

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1 named Richard DiBenedetto.

2 A. Only from newspaper reports.

3 Q. So you never spoke to him or interviewed
4 him?

5 A. No.

6 Q. Richard Calanni?

7 A. It doesn't sound familiar to me.

8 Q. James Brown?

9 A. That does not sound familiar to me.

10 Q. Roland Pierson.

11 A. No.

12 Q. Or Thomas Brodo?

13 A. Doesn't sound familiar to me.

14 Q. Did you ever speak to Anthony D'Apolito
15 who was a former Walsh Securities employee?

16 A. Not that I can recall, no.

17 Q. How about Kelly O'Neill?

18 A. Not that I recall, no.

19 Q. Did you meet or speak with anyone from
20 Walsh Securities during the investigation?

21 A. Not that I recall.

22 Q. There were also two realtors who were
23 involved in originally getting purchasers to act as
24 what we've alleged were straw buyers and they were
25 Irene DeFeo and Donna Pepsny.

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1 files looked like, what documentation was in them,
2 trying to understand how the transactions were going
3 down. I believe I spoke to Bob and then we took the
4 files as I recall.

5 Q. I believe Mr. Agel said that he had made
6 copies of them but I think you took the original ones
7 he said. What happened after you take the files,
8 Nancy, or in this case when you took the files?

9 A. I don't remember specifically. They
10 would have gone to the claims department?

11 Q. And what involvement did you have in the
12 investigation once the files got to the claims
13 department?

14 A. Only answering questions that the claims
15 department might have about what I might know about
16 the matter.

17 Q. Okay.

18 A. Or seeking information for them.

19 Q. Did you prepare any written summary of
20 your findings?

21 A. I don't remember.

22 Q. Okay. Which is my next question. Do
23 you have any documents related to your investigation?

24 A. I do not.

25 Q. Okay.

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1 Q. Do you recall what you discussed or what
2 he told you?

3 A. I don't.

4 Q. Did you speak to anyone else at Coastal
5 Title?

6 A. Probably.

7 Q. Did you make any notes or memos of that?

8 A. Not that I recall.

9 Q. And then -- off the record.

10 (A discussion takes place off the
11 record).

12 Q. So after -- you went down and you
13 reviewed the files in Coastal's offices in Freehold?

14 A. Yes.

15 Q. And then the files were transferred to
16 Commonwealth. Where were your offices at that point?

17 A. Parsippany.

18 Q. Still in Parsippany. Okay. And then
19 how long did the investigation continue while at -- I
20 mean how long -- let me just ask: How long did
21 Commonwealth's investigation continue into the claims
22 of Walsh Securities?

23 A. I don't know.

24 Q. When was the last time you had any
25 involvement in the investigation?

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